



# CITY OF NEWTON, MASSACHUSETTS

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David B. Cohen  
Mayor

DATE: July 30, 2004

TO: Board of Aldermen  
Planning and Development Board

FROM: Michael Kruse, Director of Planning and Development  
Juris G. Alksnitis, Chief Zoning Code Official

SUBJECT: **Supplemental Information for August 2, 2004 Working Session**  
PETITION #49-04 of ALD. LINSKY and JOHNSON for change of zone of 26 parcels on CABOT ST, CLAREMONT ST., LANGDON ST., LAUDHOLM RD., ROCHESTER RD., SURREY RD., AND WESTCHESTER RD., NEWTONVILLE, from **Multi-residence 1** to **Single Residence 2**. See Attachment A for list of parcels.

CC: Mayor David B. Cohen  
Philip B. Herr, Chair, Comprehensive Planning Advisory Committee  
Robert Engler, Chair, Housing Partnership

In its initial memorandum prepared for the June 14, 2004 public hearing, the Planning Department suggested that the immediate Rochester Road area be rezoned to SR-2 as proposed, and that a final decision pertaining to the area along Langdon Street between Cabot Street and Surrey Road be held for further study as to placement of the zoning boundary. On June 14, 2004, the Planning Board concurred with this recommendation by a vote of 3-1 pertaining to the Rochester Road area rezoning, and by a vote of 4-0 pertaining to further consideration of zoning boundary placement regarding the Langdon Street area. The following summarizes the proposed rezonings and presents additional information and options for placement of the zoning boundary within the area held for further study

## **AREAS PROPOSED FOR REZONING**

### **I. Rochester Road area**

As previously discussed, the subject area is a well-established, visually attractive, and cohesive single-family area with quality single-family homes. Redevelopment of single-family homes to two-family dwellings on this street would be intrusive and negatively alter the character of this neighborhood. The Planning Department and the Planning Board recommend rezoning 9 lots from MR-1 to SR-2 as follows:

<u>CABOT ST.</u>		<u>Sq. ft.</u>
114	13-18-14	4,332 (partial)

<u>ROCHESTER RD.</u>		<u>Sq. ft.</u>
48	13-20-47	10,433 (partial)
49	13-20-42	6,144 (partial)
53	13-20-43	8,685
00	13-20-46	3,213
54	13-20-45	10,137
58	13-20-44	18,927 (partial)
<u>WESTCHESTER RD.</u>		<u>Sq. ft.</u>
91	13-20-29	10,040
99	13-20-30	5,597 (partial)

If approved, the proposed rezoning will expand the SR-2 zone, and in effect shift the current MR-1/SR-2 zoning boundary toward the west and unify 4 lots currently split by the existing boundary. One lot at 100 Rochester Road, not included in the subject petition, will remain split. In addition, in order to avoid the unintended result of a thin SR-2 zoning strip separating two MR-1 zoned lots, the “panhandle” portion of the lot at 58 Rochester Road would remain in the MR-1 zone while bulk of the lot would be rezoned SR-2.

## II. **Langdon Street area between Cabot Street and Surrey Road**

### **A. General**

A visual survey of this area confirms that the Cabot Street/Laudholm Road/Langdon Street block consists of many brick tudor style single-family homes developed in fairly close proximity one to another located on approximately similarly sized lots. This development pattern and house style continues on the easterly side of Laudholm Road. The area between Laudholm Road and Surrey Road has primarily single-family colonial homes of various sizes and exterior treatments on variously sized lots.

Although the current zoning boundary between MR-1 and SR-2 has been in place for nearly 80 years, the subject area was developed for single-family dwellings generally during the 1930s and has remained so. In effect, Langdon Street has functioned as an informal boundary between an area consisting largely of 2F dwellings on the west, and single-family dwellings on the east. While current market forces in Newton have been known to result in the demolition of significant existing structures in favor of higher volume and density development, it is unclear if current MR-1 zoning is left as is, whether this pattern would emerge in the petitioned area, which is populated with quality housing stock.

A comparison of uses between the MR-1 and SR-2 zones is provided in *Attachment B: Summary of Uses in MR-1 and SR-2 Zones*.

### **B Laudholm Road. block**

This snugly developed block of single-family tudor homes conveys a sense of cohesiveness and neighborhood fabric extending to the easterly side of Laudholm Road containing like homes. However, the same architectural and visual sense does not extend westerly across Langdon Street, an area largely characterized by two-family dwellings, with occasional single-family homes. While the preferred zoning practice is to locate zoning boundaries along rear lot lines so as not to divide two sides of a street causing discontinuity and separation of streetscape, in this case, it appears more beneficial to acknowledge the existing condition, and preserve the

tudor style neighborhood to the extent practicable. However, the Planning Department believes that it does make sense to retain the existing MR-1 zone at all four corners of the intersection of Cabot Street and Langdon Street by keeping the two lots at the northeast corner of this intersection in the MR-1 zone.

As a result we suggest rezoning 7 lots within the Laudholm Road block from MR-1 to SR-2 as follows:

<u>LANGDON ST.</u>		<u>Sq. ft.</u>
118	13-08-05	8,970
126	13-08-06	7,563
134	13-08-08	8,512
<u>LAUDHOLM RD.</u>		
21	13-08-04	8,380
27	13-08-03	7,360
35	13-08-02	7,792
<u>CABOT ST</u>		
121	13-08-01	10,873

Two lots – 129 Cabot Street and 140 Langdon Street would remain in the current MR-1 zone.

### **C. Langdon Street (east side) from Surrey Road – Laudholm Road**

This is also a mature single-family area with homes developed mostly during the 1930s. Comprised largely of colonial style homes of various sizes and exterior treatments, this area reflects a lower degree of continuity and cohesiveness of streetscape overall. The properties at 22 and 28 Surrey Road are oriented toward other Surrey Road homes, and in particular oriented toward the homes at 15 and 25 Surrey Road, which are located within an SR-3 zone. The Planning Department believes it makes sense to place both sides of Surrey Road within the same SR-3 zone in this location by rezoning 22 and 28 Surrey Road to SR-3 rather than to the SR-2 zone as proposed. The remainder of the block along Langdon Street is proposed to remain MR-1 with the zoning boundary located along the rear lot lines of street-facing properties. This approach would continue the current option for two-family development in the future to a limited extent, while maintaining both sides of this Langdon Street segment within the MR-1 zone. Two lots split by the current zoning boundary located at 0 Charlemont Street (SBL 13-09-05A) and 16 Laudholm Road should be rezoned to SR-2 as proposed so as to unify the lots within the same SR-2 zone. Rezoning the property at 10 Laudholm Road to SR-2 as proposed would complete the SR-2 zoned area.

As a result we suggest rezoning this area as follows:

**From MR-1 to SR-3:**

<u>SURREY RD.</u>		<u>Sq. ft.</u>
22	13-09-09	11,833
28	13-09-10	8,540

**From MR-1 to SR-2:**

<u>CLAREMONT ST.</u>		
00	13-09-05A	4,397 (partial)
<u>LAUDHOLM RD.</u>		
10	13-09-14	9,350
16	13-09-15	4,428 (partial)

Three properties at 92 and 100 Langdon Street, and 4 Laudholm Road would remain in the MR-1 zone.

III. **SUMMARY**

The zone change petition as initially proposed contemplated the rezoning of 26 lots from MR-1 to SR-2. With the adjustments suggested above, 5 lots would remain in the MR-1 zone, 19 lots would be rezoned SR-2, and 2 lots rezoned SR-3. The Planning Department believes the suggested changes will help preserve two single-family neighborhoods in the Rochester Road and Laudholm Road areas, respectively, which exhibit particular qualities as to streetscape, architecture, and cohesiveness. In addition, the suggested changes will facilitate zoning consistency along Surrey Road, the Langdon Street/Cabot Street intersection, and the Laudholm Road – Surrey Road segment of Langdon Street as well as unify six lots currently split by the existing zoning boundary. While the proposed rezoning will preclude the conversion of single-family dwellings to two-family structures in the areas rezoned SR, opportunities for two-family development will continue within the areas retained in the current MR-1 zone. Finally, it is noted that accessory apartments (*meeting the applicable zoning requirements*) are allowed as of right and/or by special permit in SR-2 and SR-3 zones, and by special permit in MR zones.

While the proposed rezonings may generate a number of non-conformities as to lot size, frontage and floor area ratio (FAR) associated with the SR-2 and SR-3 zones, a closer look at this area suggests most of the lots may have been established and developed prior to 1953. As a result, it is likely that “old lot” dimensional requirements would apply pertaining to setback, side yard, rear yard, lot coverage, open space, height, and stories, which are identical across SR-2, SR-3, and MR-1. (See Section 30-15, Table 1). It is also noted that Section 30-21(a)(1)a allows the alteration of a single- or two-family home when the non-conformity is due solely to lot area and/or frontage, and the *de minimis* provisions of Section 30-21(c) accommodate various limited alterations without the need for a special permit. To the extent homeowners may need to adapt their homes in the future to suit changing family needs in ways which exceed the *de minimis* provisions, homeowners will be required to seek a special permit.

ATTACHMENTS

Attachment A: *List of parcels proposed for rezoning*

Attachment B: *Summary of Uses in MR-1 and SR-2 Zones.*

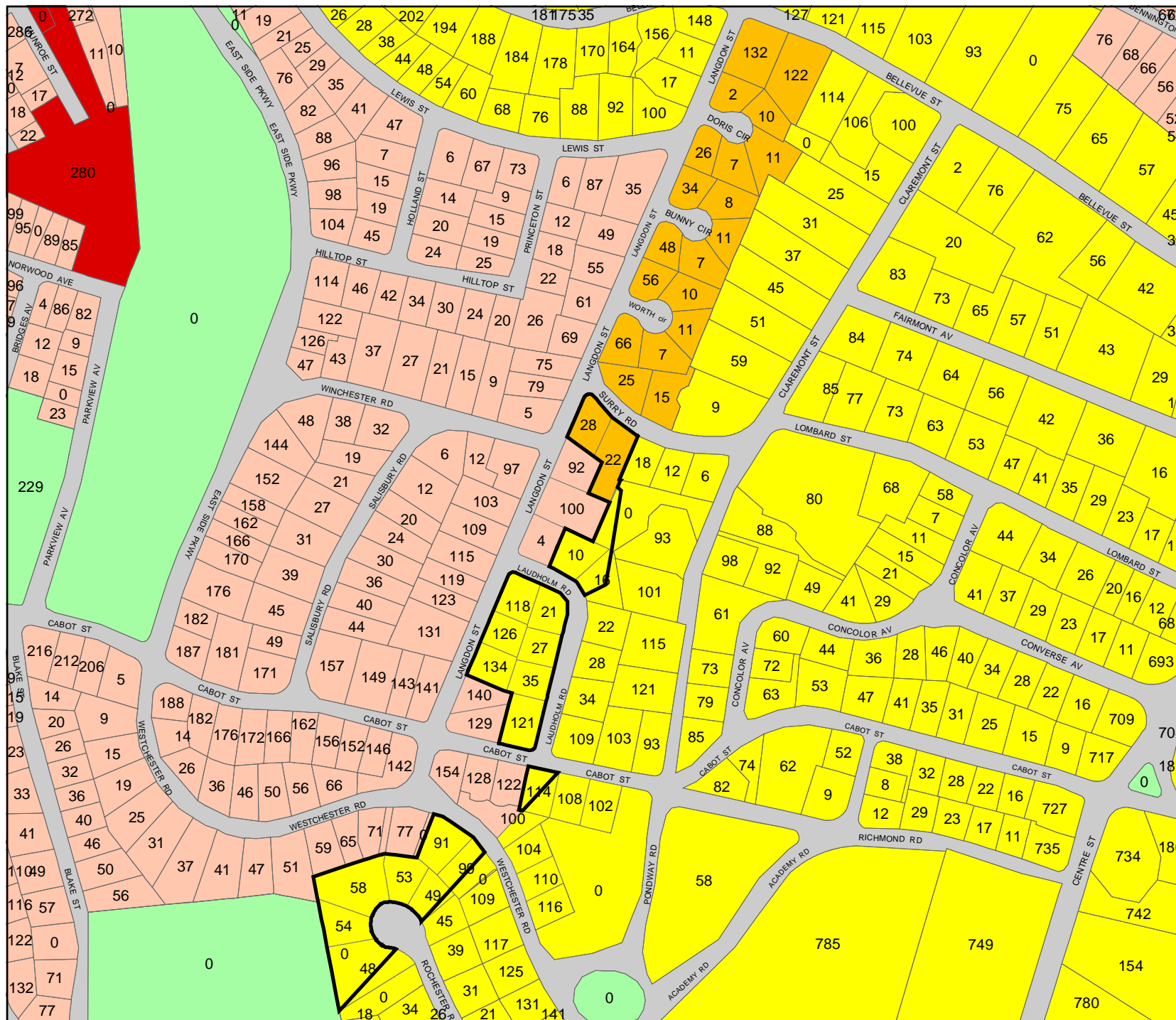
Proposed Zoning Map, dated July 28, 2004 (revised)

# **Proposed Zoning** **Rochester Road Area** City of Newton

**DRAFT**

**Legend**

- Single Res. 1
- Single Res. 2
- Single Res. 3
- Business 1
- Business 2
- Business 4
- Business 5
- Lim. Manuf.
- Manuf.
- Multi-Res. 1
- Multi-Res. 2
- Multi-Res. 3
- Multi-Res. 4
- Mixed Use 1
- Mixed Use 2
- OS/Rec.
- Public Use
- Property Boundaries
- Proposed Changes



100 50 0 100 200  
 Feet

**MAP DATE: July 28, 2004**